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DIAMOND MCCARTHY LLP

909 Fannin, Suite 1500
Houston, Texas 77010
Telephone (713) 333-5100
Facsimile (713) 333-5199

Allan B. Diamond, TX State Bar No. 05801800
Email: adiamond@diamondmccarthy.com
Eric D. Madden, TX State Bar No. 24013079
Email: emadden@diamondmccarthy.com

Special Litigation Counsel for USACM Liquidating Trust

LEWIS AND ROCA LLP

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321

Susan M. Freeman, AZ State Bar No. 004199
Email: sfreeman@lrlaw.com
Rob Charles, NV State Bar No. 006593
Email: rcharles@lrlaw.com

Counsel for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In rei:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC.

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC.

USA CAPITAL FIRST TRUST DEED
FUND, LLC.

USA SECURITIES, LLC.

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**VERIFIED PETITION FOR
PERMISSION TO PRACTICE IN
THIS CASE ONLY BY ATTORNEY
NOT ADMITTED TO THE BAR OF
THIS COURT**

[No hearing required]

Jon Maxwell Beatty, Petitioner, respectfully represents to the Court:

1. That Petitioner resides in Houston, Texas.
2. That Petitioner is an attorney at law and a member of the Houston office of
w firm of Diamond McCarthy LLP, with offices at 909 Fannin Street, Suite 1500,
on, TX (713) 333-5100; 6504 Bridgepoint Parkway, Suite 400, Austin, TX 78730,

1 (512) 617-5200; 1201 Elm Street, 34th Floor, Dallas, TX 75270, (214) 389-5300; and 620
 2 Eighth Avenue, 39th Floor, New York, NY 10018, (212) 430-5400.

3 3. That Petitioner has been retained personally or as a member of the law firm
 4 by the USACM Liquidating Trust (“USACM Trust”) to serve as special litigation counsel
 5 to the USACM Trust.

6 4. That since November 2006, Petitioner has been and presently is a member in
 7 good standing of the bar of the highest court of the State of Texas.

8 5. That since November 2006, Petitioner has been and presently is a member in
 9 good standing of the bar of the highest court of the State of Texas where Petitioner
 10 regularly practices law.

11 6. That there are or have been no disciplinary proceedings instituted against
 12 petitioner, nor any suspension of any license, certificate or privilege to appear before any
 13 judicial, regulatory or administrative body, or any resignation or termination in order to
 14 avoid disciplinary or disbarment proceedings, except as described in detail below: None.

15 7. That Petitioner has never been denied admission to the State Bar of Nevada.

16 8. That Petitioner is a member of good standing in the following Bar
 17 Associations: State Bar of Texas.

18 9. Petitioner has never filed application to appear as counsel in this Court. The
 19 following present and former members of Petitioner’s firm with which Petitioner is
 20 associated have filed applications to appear as counsel under Local Rule IA 10-2 during
 21 the past three (3) years:

| <u>Date of Application</u> | <u>Cause</u> | <u>Title of Court Administrative Body or Arbitrator</u> | <u>Was Application Granted or Denied</u> |
|---|---|---|--|
| Lisa S. Tsai Austin Office (01/08/08) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (01/16/08) |

| | | | | |
|----|--|---|------|-----------------------|
| 1 | William T. Reid, IV Austin Office (08/06/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (08/15/07) |
| 2 | Stephen T. Loden Houston Office (06/08/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (06/14/07) |
| 3 | Allan B. Diamond Houston Office (02/01/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (02/02/07) |
| 4 | Arley D. Finley, III ¹ Austin Office (02/01/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (02/02/07) |
| 5 | Eric D. Madden Dallas Office (02/01/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (02/02/07) |
| 6 | Erin E. Jones Houston Office (02/01/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (02/02/07) |
| 7 | Michael Yoder Houston Office (02/01/07) | USA Commercial Mortgage Company (BK-S-06-10725- LBR) | USBC | Granted (02/02/07) |
| 8 | Eric D. Madden Dallas Office (12/06/05) | Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299) | USDC | Granted (12/29/05) |
| 9 | James D. McCarthy Dallas Office (12/06/05) | Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299) | USDC | Granted (12/21/05) |
| 10 | Allan B. Diamond Houston Office (12/06/05) | Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299) | USDC | Granted (12/21/05) |
| 11 | Walter J. Scott Dallas Office (12/06/05) | Provincial Govt. of Marinduque v. Placer Dome, Inc. (CV-S-05-1299) | USDC | Granted (01/11/06) |

¹ Arley D. Finley, III resigned his role as a practicing attorney with Diamond McCarthy effective August 31, 2007.

10. Petitioner consents to the jurisdiction of the courts and disciplinary boards of the State of Nevada with respect to the law of this state governing the conduct of attorneys to the same extent as a member of the State Bar of Nevada.

11. Petitioner agrees to comply with the standards of professional conduct required of the members of the bar of this court.

12. Petitioner has disclosed in writing to the client that the applicant is not admitted to practice in this jurisdiction and that the client has consented to such representation.

In light of the foregoing considerations, Petitioner respectfully prays that Petitioner be admitted to practice before this Court FOR THE PURPOSES OF THIS CASE ONLY.

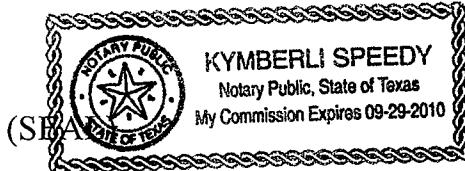
DATED: 1 24 04

Jon Maxwell Beatty, Petitioner

1 **VERIFICATION**
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STATE OF TEXAS)
)
COUNTY OF HARRIS)

6 Jon Maxwell Beatty, Petitioner, being first duly sworn, deposes and says:
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That the foregoing statements are true.



13 Subscribed and sworn to before me this
14 28 day of January, 2008.
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16 Kymerli Speedy
17 Notary public
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13 Subscribed and sworn to before me this
14 28 day of January, 2008.
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17 Notary public
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